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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,841	12/20/2001	Kevin Stone Manes	077943-0147	1463
22428	7590	12/23/2003	EXAMINER	
FOLEY AND LARDNER SUITE 500 3000 K STREET NW WASHINGTON, DC 20007			HUFFMAN, JULIAN D	
			ART UNIT	PAPER NUMBER
			2853	

DATE MAILED: 12/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

GA

Office Action Summary

Application No.

10/022,841

Applicant(s)

MANES ET AL.

Examiner

Julian D. Huffman

Art Unit

2853

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 April 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 22-27 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12, 20, 21 and 28-30 is/are rejected.
- 7) ☒ Claim(s) 13-19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Claims 22-27 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim. Election was made **without** traverse in Paper No. 6.

Claim Objections

2. Claims 10, 11, 19 and 21 are objected to because of the following informalities:

In claim 10 there is no antecedent basis for the phrase "a center roll" since the relative positioning of the rolls is not claimed.

In claim 11, it is respectfully suggested that the word "an" be changed to "a".

In claim 19, there is no antecedent basis for the phrase "the clamping hook".

In claim 21, there is no antecedent basis for the phrase "the slide shaft".

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-6, 8, 12, 20, 21 and 28-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Katsuyama (U.S. 5,854,643).

Katsuyama discloses a printer comprising:

a frame (fig. 2, element 1000);

a set of non-movable print heads fixed to the frame (element 1010, column 10, lines 11-14);

an idler carriage (fig. 5, element 141U) for carrying a web, said idler carriage disposed a distance from the set of print heads so that ink from the print heads will be received by the web; and

a carriage translation assembly to move the idler carriage to vary the distance between the set of print heads and the idler carriage (column 7, lines 7-10);

wherein the set of print heads comprise inkjet print heads (column 10, lines 11-14);

wherein the carriage translation assembly comprises at least one slide shaft (145, 151);

wherein the idler carriage is disposed to slide linearly along the slide shaft (fig. 5);
and

a force mechanism is provided for exerting a force to move the idler carriage linearly along the slide shaft (element 143R);

wherein the slide shaft moves within a bearing set in the idler carriage (fig. 6, element 154, slide shaft 151 moves in bearing set 154);

further comprising an accumulator structure for taking up slack in the web as the idler carriage moves (140U);

wherein the accumulator structure maintains constant web tension throughout the travel range of the idler carriage (since roller moves as idler carriage moves, roller maintains constant tension, see also column 2, lines 22-33 and column 2, lines 53-58);

wherein the accumulator structure comprises at least one accumulator roll (140U); and

an accumulator roll tensioner for automatically positioning the accumulator roll in response to the movement of the idler carriage in order to maintain a tension on the web (142);

further comprising a fixed block located in the frame which sets at least in part, the upper position of the idler carriage (141L);

wherein the fixed block is disposed at one end of the slide shaft (fig. 5);

wherein the carriage translation assembly includes at least three slide shafts disposed in parallel relative to each other (145, 141);

further comprising means for setting alternate upper positions of the idler carriage means (element 143R).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Katsuyama in view of Kurata et al (6,068,374).

Katsuyama discloses everything claimed with the exception of accumulator structure comprising a leg disposed at an end of the idler carriage and extending away from the print heads in a direction of movement of the idle carriage; and

an idler roll disposed at the end of the leg, with the web extending down along the leg, around the idler roll, and back up to the idler carriage.

Kurata et al. disclose such an arrangement (fig. 43a, fig. 43b, column 41, line 51-column 42, line 14).

It would have been obvious to one having ordinary skill in the art at the time of the invention to provide the idler roll structure of Kurata et al. in the invention of Katsuyama. The reason for performing doing such would have been to provide a means to assure that an intensity of tension applied to the printing substrate is kept substantially constant (column 42, lines 10-12).

7. Claims 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katsuyama in view of Regev et al.

Katsuyama discloses at least three rolls (140U, 140L) with a center roll thereof (140U) being movable by an actuator.

Katsuyama does not disclose a piston actuator.

Regev et al. teach a piston actuator (fig. 7) for moving a printer platen (column 6, lines 42-59).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to replace the actuator of Katsuyama with the piston actuator of Regev et al. The reason for performing the modification would have been to enable the platen to move in small discrete steps of a few microns (column 6, lines 43-46).

Allowable Subject Matter

8. Claims 13-19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

With regards to claims 13-19, the prior art of record does not disclose the claimed clamping mechanism.

Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julian D. Huffman whose telephone number is (703) 308-6556. The examiner can generally be reached Monday through Friday from 9:00 a.m. to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier, can be reached at (703) 308-4896. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Art Unit: 2853

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.



JH

December 4, 2003



Thinh Nguyen
Primary Examiner
Technology Center 2800